Public Notice

US Army Corps of Engineers
Memphis District

REPLY TO ATTN: Josh Bright
U.S. Army Corps of Engineers
167 North Main Street, Room B-202
Memphis, Tennessee 38103-1894
Telephone: (901) 544-0926
Fax: (901) 544-3266
EMail: Joshua.K.Bright@usace.army.mil

POSTMASTER PLEASE POST UNTIL:

PUBLIC NOTICE NO:
MVM-2006-109-JKB
PUBLIC NOTICE DATE:
April 11, 2006
EXPIRATION DATE:
May 11, 2006

Public Notice
Corps of Engineers

AUTHORITY: Pursuant to 33 CFR 325, as published in the Federal Register dated November 13, 1986, this notice announces an application submitted for a Department of the Army permit under Section 404 of the Clean Water Act.

APPLICANT: Ross Thomas
BNSF Railway Company
4515 Kansas Avenue
Kansas City, Kansas 66106
(913) 551-4410

AGENT: Douglas Dorsey
Hanson-Wilson Inc.
1525 South Sixth Street
Springfield, Illinois 62703-2886
(217) 788-2450

LOCATION: The project is located in an industrial/commercial area adjoining the existing BNSF Tennessee rail yard and bounded by Shelby Drive to the south, Lamar Avenue to the west, and South Perkins Road to the north, in Memphis, Shelby County, Tennessee, at approximate latitude 35.0241 and longitude -89.8956 on the Southeast Memphis 7.5 minute quadrangle map.

PURPOSE: The purpose of the project is to accommodate additional railroad tracks, truck and equipment lanes, and parking areas.

DESCRIPTION OF WORK: The applicant proposes to place 700 feet of Johns Creek into a three-cell arch culvert. An existing railroad bridge will be removed and replaced by part of the 700-foot arch culvert. The average width of Johns Creek at this location is about 40 feet. Therefore, the impacted area of Johns Creek will be about 28,000 square feet, or 0.64 acre. The existing channel of Johns Creek upstream of the arch culvert will be widened in order to transition the flow into the culvert and maintain flow without increasing the 100-year water surface elevations. Due to the higher elevation to the north, a concrete retaining wall will be constructed to support the existing trailer parking lot. The retaining wall will be constructed outside the limits of the existing ordinary high water marks of Johns Creek. The excavated banks of Johns Creek will be stabilized with erosion control grass and allowed to revegetate naturally. A 72-inch diameter culvert that carries storm drainage from BNSF facility south of Johns Creek will be extended about 130 feet to discharge directly to the arch culvert. The existing 72-inch diameter culvert discharges to an excavated ditch that drains to Johns Creek. No wetlands will be impacted by the project. The applicant proposes to mitigate stream impacts by use of in-lieu-fee to the Tennessee Stream Mitigation Program (TSMP).

Construction of the arch culvert will require temporary diversion of Johns Creek. An existing sanitary sewer line will be relocated north of the proposed structure. Protection lines will be constructed to divert the stream away from the alignment of the northern arch. Stone rip rap, a portable dam structure, or steel sheet pilings will be used as the protection lines. In the dry, the north bank of Johns Creek will be excavated and the northern arch foundation will be constructed. When the northern arch is constructed, protection lines will be constructed to divert the stream flow through the northern arch. Then, in the dry, the south bank of Johns Creek will be excavated to facilitate construction of the center and southern arch foundations. When construction of the arch structures is completed, the protection lines will be removed and low flow will be directed through the center arch.

WATER QUALITY CERTIFICATION: The applicant should request water quality certification from the Tennessee Department of Environment and Conservation, Division of Water Pollution Control that the activity will comply with applicable requirements set forth in 33 U.S.C. and 1341(a)(1) of the Clean Water Act and all State laws and regulations promulgated pursuant thereto. This certification or evidence of this water quality certification or waiver of the

right to certify must be submitted prior to the issuance of a Corps of Engineers permit. The Corps of Engineers' evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, EPA, under authority of Section 404(b) of the Clean Water Act.

ENDANGERED SPECIES: No endangered or threatened species, or their critical habitat, are known to exist in the project area. This application is being coordinated with the U.S. Fish and Wildlife Service. Any comments they may have regarding endangered or threatened wildlife or plants, or their critical habitat, will be considered in our evaluation of the described work.

CULTURAL RESOURCES: The Memphis District will evaluate information provided by the State Historic Preservation Officer, Federally-recognized Tribes, and the public in response to this public notice and we may conduct, or require a survey of the project area. A preliminary in-house records search indicated no sites have been recorded within the project area. However, the lack of recorded sites may be due to lack of cultural surveys around the project area.

FLOOD PLAIN: In accordance with 44 CFR Part 60 (Flood Plain Management and Use), participating communities are required to review all proposed development to determine if a flood plain development permit is required. Flood plain administrators should review the proposed public notice and apprise this office of any flood plain development permit requirements.

PUBLIC INTEREST REVIEW: The purpose of this public notice is to advise all interested parties of the activities for which a permit is sought and to solicit comments and information necessary to evaluate the probable impact on the public interest.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the project must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the project will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Federally-recognized Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

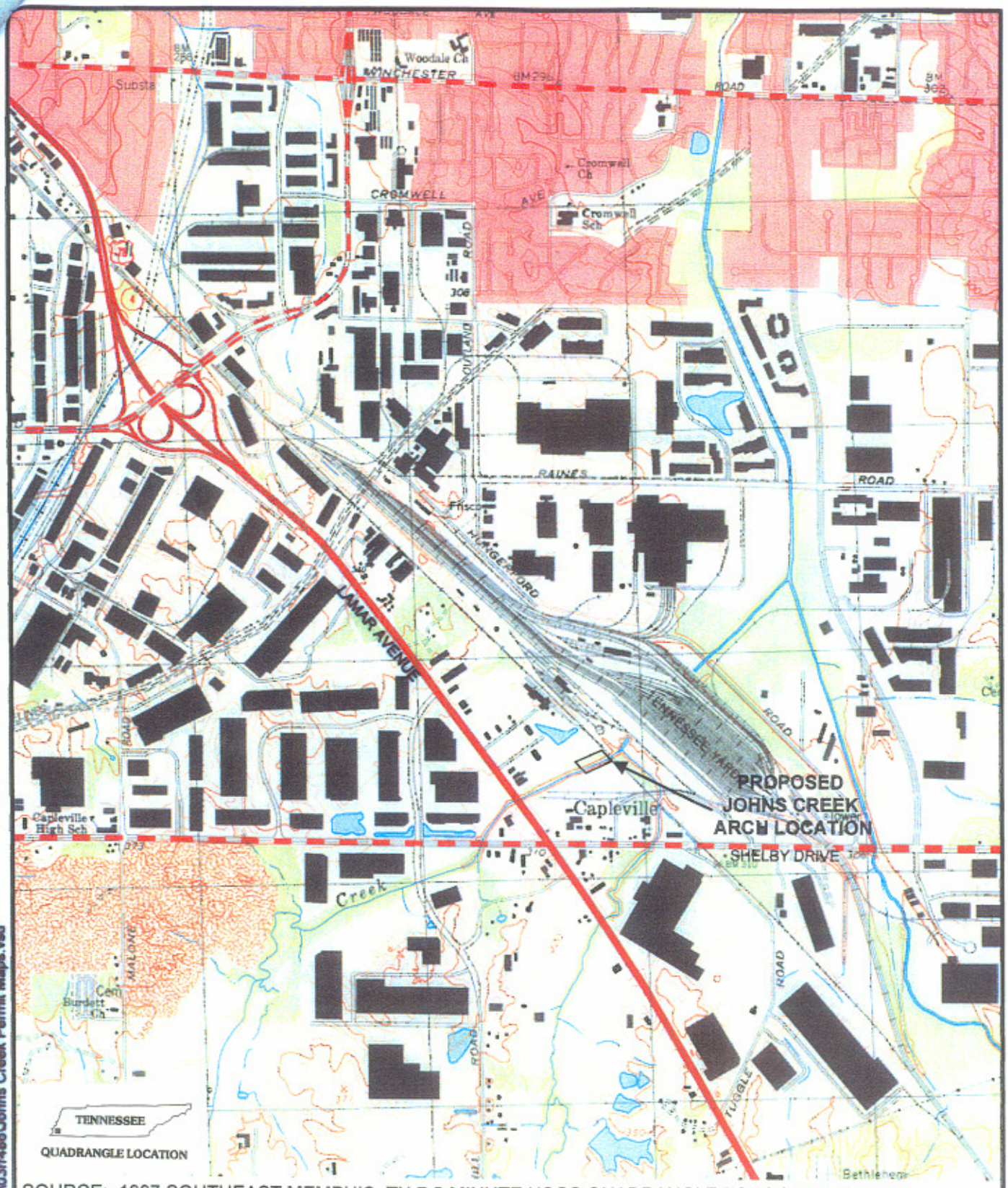
PUBLIC HEARING: Any person may request, in writing, within the comment period specified in this notice that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reason for holding a public hearing. The District Engineer will determine if the issues raised are substantial and whether a hearing is needed for making a decision.

COMMENTS OR REQUEST FOR ADDITIONAL INFORMATION: If you wish to obtain additional information or to submit comments on the application, please contact Josh Bright at the U.S. Army Corps of Engineers, 167 North Main Street, Room B-202, Memphis, Tennessee 38103-1894, telephone (901) 544-0926. Copies of all comments, including the names and address of commenters, may be provided to the applicant for consideration and response prior to a decision by the Corps.

Comments should be received by May 11, 2006.

Larry D. Watson
Chief
Regulatory Branch

Attachments



SOURCE: 1997 SOUTHEAST MEMPHIS, TN 7.5-MINUTE USGS QUADRANGLE TOPOGRAPHIC MAP.

SCALE
1 IN. = 2,000 FT

-N-

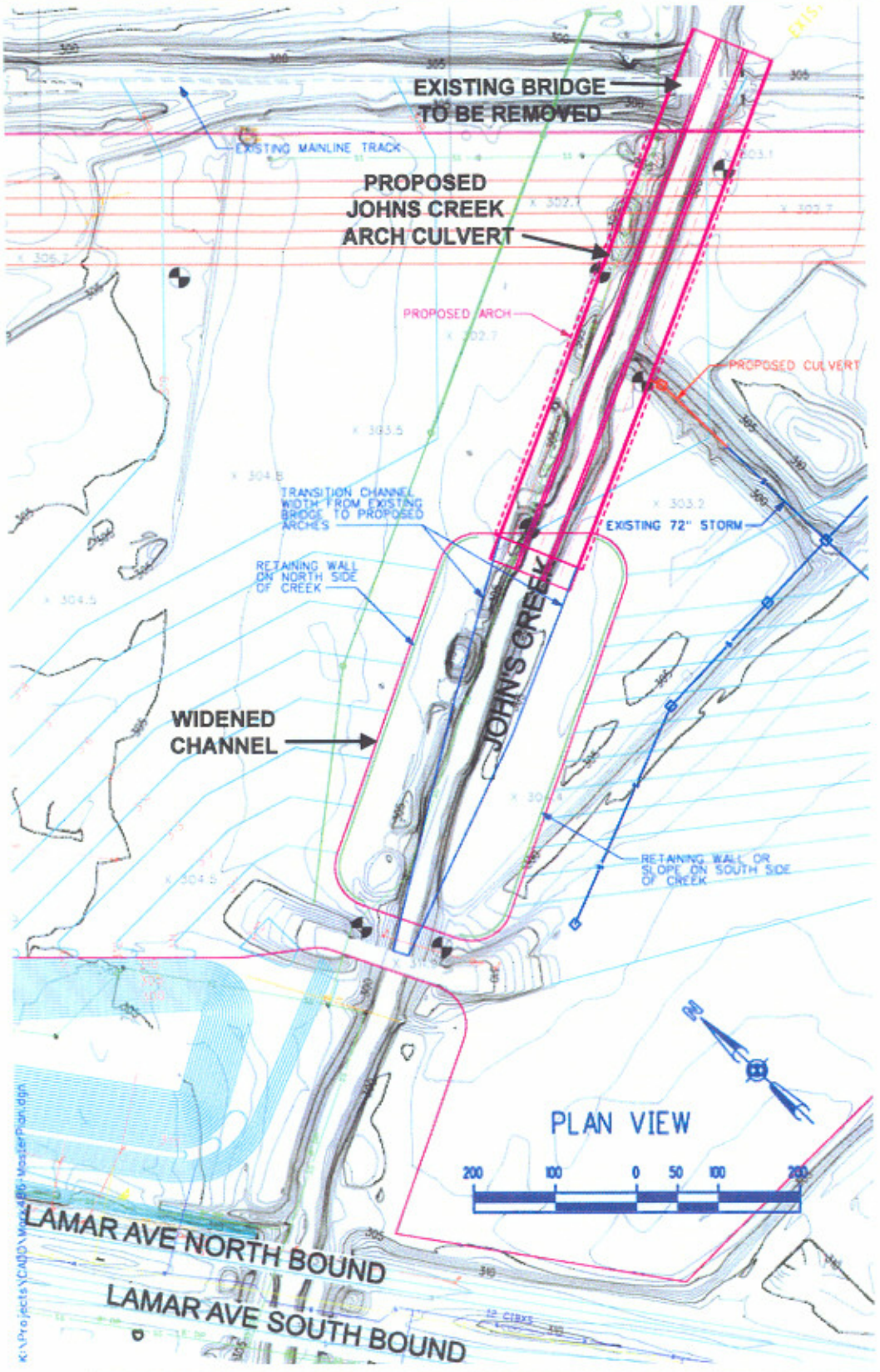
HANSON WILSON INCORPORATED

SITE LOCATION MAP

JOHNS CREEK BRIDGE
BNSF TENNESSEE YARD EXPANSION
MEMPHIS, TENNESSEE

JOB NO. 03RR486 **FIGURE NO. 1**

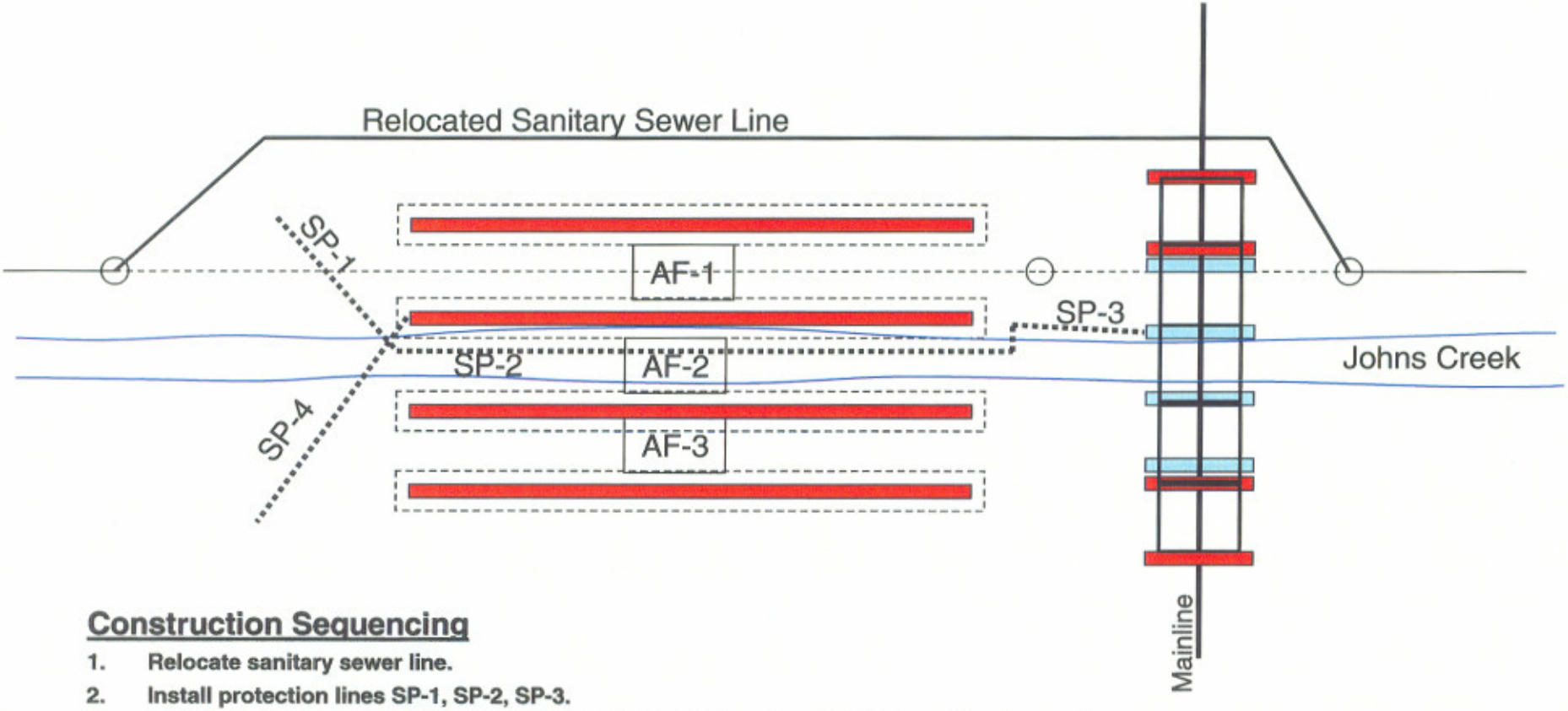
H:\USERS\EWMWP\03jobs\03rr486\Johns Creek Permit Maps.vsd



HANSON WILSON INCORPORATED	SITE PLAN
	JOHNS CREEK CULVERT BNSF TENNESSEE YARD EXPANSION MEMPHIS, TENNESSEE
	JOB NO. 03RR486 FIGURE NO. 3

MEMPHIS INTERMODAL FACILITY – JOHNS CREEK
CONSTRUCTION SEQUENCING

December 7, 2005



Construction Sequencing

1. **Relocate sanitary sewer line.**
2. **Install protection lines SP-1, SP-2, SP-3.**
3. **Modify north slope at mainline bridge then (in the dry) construct AF-1, transition beneath bridge, and install precast arches.**
4. **Modify SP-3 to seal to AF-1.**
5. **Install protection line SP-4 and remove SP-1 and SP-2. Johns Creek diverted through AF-1.**
6. **Construct AF-2, AF-3, and south transition beneath bridge and install arches.**
7. **Remove SP-4 and SP-3. Johns Creek low flow directed through AF-2.**

Red is Proposed Permanent Work